

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Criminal Action No.
)	06-00416-01-CR-W-GAF
DEMARIO A. EATMON,)	
)	
Defendant.)	

ORDER

On January 16, 2007, Defendant filed a motion for a judicial determination of mental competency. Defendant was examined by licensed psychologist Robert Johnson, Ph.D. It is the opinion of Dr. Johnson that Defendant is competent to stand trial. During a hearing held before United States Magistrate Judge Robert Larsen on April 12, 2007, Defendant and the government stipulated to the report of Dr. Johnson. The parties also waived the ten-day objection period to Judge Larsen's Report and Recommendation.

Therefore, after making an independent review of the record, it is

ORDERED that Defendant's motion for judicial determination of mental competency is granted, the Report and Recommendation of Magistrate Judge Robert Larsen is adopted in its entirety, and this court finds that Defendant is competent to stand trial. It is further

ORDERED that, pursuant to 18 U.S.C. § 3161(h)(1)(A), the time between January 16, 2007, and the date of this order is excluded in computing the time within which the trial of this criminal action must commence.

s/ Gary A. Fenner
GARY A. FENNER, JUDGE
UNITED STATES DISTRICT COURT

DATED: April 17, 2007